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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/604,123
Filing Date	June 26, 2003
First Named Inventor	Peter J. Kumpon
Group Art Unit	2652
Examiner Name	Chen, Tianjie
Attorney Docket Number	1046_024 (SL033)

Total Number of Pages in This Submission 15

**ENCLOSURES** (check all that apply)☐ Fee Transmittal Form☐ Fee Attached☒ Amendment / Reply☒ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/ Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s)☐ After Allowance Communication to Technology Center (TC)☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify below):

Return Mailroom Postcard; a Record of Telephone Interview After Final Office Action (3 pages); and Certificate of Express Mailing.

Remarks

**The Commissioner is authorized to charge any additional fees to Deposit Account No. 50-0289.****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm  
or  
Individual nameWall Marjama & Bilinski LLP  
Robert E. Purcell

Reg. No. 28,532

Signature

Date

October 31, 2005

**CERTIFICATE OF MAILING**

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Cynthia Losurdo

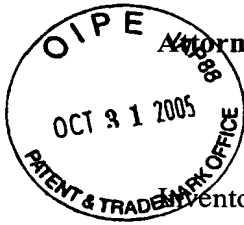
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Date

October 31, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No.: 1046\_024 (SL033)

PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Peter J. Kumpon; Lee A. Sutherland; Christopher A. Pollard; Clark D. Brace

Confirmation No.: 1122

Serial No.: 10/604,123

Art Unit: 2652

Filed: June 26, 2003

Examiner: Chen, Tianjie

Customer No.: 20874

Title: MAGAZINE-BASED DATA CARTRIDGE LIBRARY

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

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*Cynthia Losurdo*  
Cynthia Losurdo

**RECORD OF TELEPHONE INTERVIEW AFTER FINAL OFFICE ACTION**

Dear Sir:

In response to the Final Office Action mailed on August 19, 2005 ("the Office Action"), please refer to the recorded interview of the above identified application as follows:

**INTERVIEW RECORD** begin on Page 2

## INTERVIEW RECORD

An interview with the Examiner was conducted at 12:00 pm (Eastern Time) on September 2, 2005 to discuss reasons presented warranting favorable action for the above identified application. As discussed, Applicant will amend claim 1 to further define a "magazine support" to recite, "a magazine support generally comprising a base plate on which said magazine can substantially rest under the influence of gravity". The term "rest" is used in paragraph [0013] which recites "the magazine picker is comprised of a support surface on which all or a portion of a magazine can rest and a device that is capable of moving a magazine between a shelf and the support".

Applicant further clarifies the definition of "rest" as discussed with Examiner in amended paragraph [0198] to recite "(a) a base plate 886 on which a magazine, such as the LTO/SAIT magazine 270 from FIG. 12A, can substantially rest under the influence of gravity".

These suggested amendments clarify distinguishing features of Applicant's invention over the rejections under 35 U.S.C. § 102 to U.S. Patent No. 5,818,723 to Dimitri which are reflected in the response to the Office Action.

Examiner also requested a "cursory search" for art related to a magazine transport support surface similar to Applicant's invention. Nothing was found.


\* \* \*

Authorization To Charge Necessary Fees

While no fee is believed due with this submission, the Commissioner is hereby authorized to charge any necessary fees associated with this submission, or credit any overpayment, to Deposit Account No. 50-0289.

Respectfully submitted,

Dated: 10/26/05

  
Kenneth Altshuler  
Reg. No. 50,551

Correspondence Address  
WALL MARJAMA & BILINSKI LLP  
101 South Salina Street, Suite 400  
Syracuse, New York 13202  
Telephone: (315) 425-9000  
Facsimile: (315) 425-9114

Customer No.: 20874

PATENT TRADEMARK OFFICE



Attorney Docket No.: 1046\_024 (SL033)

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*Cynthia Losurdo*  
Cynthia Losurdo

**AMENDMENT AND RESPONSE**

Dear Sir:

In response to the Final Office Action mailed on August 19, 2005 ("the Office Action"), please amend the above identified application as follows:

**AMENDMENTS TO THE SPECIFICATION** are reflected in amended paragraph, which begins on page 2 of this paper.

**AMENDMENTS TO THE CLAIMS** are reflected in the listing of claims, which begins on page 3 of this paper.

**REMARKS** begin on Page 8 of this paper.